

Regular Session, 2013

SENATE CONCURRENT RESOLUTION NO. 59

BY SENATOR DONAHUE

SANITARY CODE. Directs the state health officer and the Department of Health and Hospitals, office of public health, to provide for certain limitations relative to actions or rules requiring modification of certain existing community water systems.

A CONCURRENT RESOLUTION

To direct the state health officer and the Department of Health and Hospitals, office of public health, to provide for certain limitations relative to actions or rules requiring modification of certain existing community water systems.

WHEREAS, it is imperative that the state health officer and the office of public health of the Department of Health and Hospitals work with water systems across this state to ensure the water systems are safe for public use and consumption; and

WHEREAS, it is possible for the state health officer and the office of public health of the Department of Health and Hospitals to develop rules and regulations for water systems that provide for public safety in a cost-effective manner; and

WHEREAS, the best way to provide for safe water systems is to develop rules and regulations for Louisiana that utilize and consider policies, rules, and regulations throughout the water system profession but are crafted in a manner that addresses the water systems within our state; and

WHEREAS, such policies should not cause financial harm to parishes and operators of water systems, and eventually our residents, who will pay more than necessary for using the water systems; and

WHEREAS, "National Primary Drinking Water Standards" are the maximum

1 contaminant levels and the maximum residual disinfectant levels as defined in 40 CFR Part  
2 141 et seq.; and

3 WHEREAS, "Ten State Standards" are the Recommended Standards for Water  
4 Works (2003 Edition) or any other edition promulgated by the Great Lakes-Upper  
5 Mississippi River Board of State and Provincial Public Health and Environmental Managers.

6 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby  
7 direct the state health officer and the Department of Health and Hospitals, office of public  
8 health, to provide for certain limitations relative to actions or rules requiring modification  
9 of certain existing community water systems.

10 BE IT FURTHER RESOLVED that neither the state health officer nor the office of  
11 public health of the Department of Health and Hospitals shall promulgate a rule or take  
12 action requiring the modification of an existing community water system in operation before  
13 August 1, 2013, unless the state health officer or the office of public health of the  
14 Department of Health and Hospitals demonstrates that such public water system is incapable,  
15 with proper operation and maintenance, of attaining compliance with the National Primary  
16 Drinking Water Standards without the modification.

17 BE IT FURTHER RESOLVED that a sanitary survey of a public water system shall  
18 be conducted only to ensure compliance with the National Primary Drinking Water  
19 Standards and the state Sanitary Code requirements.

20 BE IT FURTHER RESOLVED that the state health officer or the office of public  
21 health of the Department of Health and Hospitals shall classify as a significant deficiency  
22 only defects in design, operation, or maintenance, or a failure or malfunction of the sources,  
23 treatment, storage, or distribution systems that are causing the introduction of contamination  
24 into the water delivered to consumers.

25 BE IT FURTHER RESOLVED that the state health officer and the office of public  
26 health of the Department of Health and Hospitals shall use the Ten State Standards only as  
27 a guide in the review of plans and specifications submitted in connection with an application  
28 for a permit for a new public water supply system or in connection with the modification of  
29 an existing public water system.

30 BE IT FURTHER RESOLVED that a public water supply system permit shall be

1 issued for a design that complies with the National Primary Drinking Water Standards,  
2 whether or not such design comports to the Ten State Standards.

3 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the  
4 state health officer and the assistant secretary of the Department of Health and Hospitals,  
5 office of public health.

---

The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Christopher D. Adams.

---

DIGEST

Donahue

SCR No. 59

Directs the state health officer and the Department of Health and Hospitals, office of public health, to provide for certain limitations relative to actions or rules requiring modification of certain existing community water systems.